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- PM/DRSA: SHONLEY — 7424
- ARA/SC: KSTEVENS — X2407 *rem. 5*
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11/15/90

DEPARTMENT OF STATE A/CDC/MR

RECEIVED BY _____ NO. 926 DATE 2/2/91

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CARDOEN INDUSTRIES' REQUEST FOR F.A.A.
HELICOPTER CERTIFICATION AND CARDOEN'S END USE
ASSURANCES REGARDING IRAQ. -----

REF: {A} SANTIAGO 07239
{B} SANTIAGO 5879

1. THANK YOU FOR THE VALUABLE INFORMATION YOU HAVE PROVIDED IN REF A AND PREVIOUS REFTELS REGARDING THE ABOVE SUBJECT.

2. REFTEL A QUOTES A LETTER DATED SEPTEMBER 12, 1990 FROM CARLOS CARDOEN, PRESIDENT OF INDUSTRIAS CARDOEN. IN HIS LETTER, CARDOEN RAISED FOUR ISSUES: (A) THAT HE HAS CONTRACTED WITH GLOBAL HELICOPTER TECHNOLOGY, INC. (GHTI), A U.S. FIRM LOCATED IN TEXAS, TO OBTAIN FAA SUPPLEMENTAL TYPE CERTIFICATE (STC) ON THE SINGLE PILOT COCKPIT MODIFICATION FOR THE BELL 206L LONG RANGER DEVELOPED BY INDUSTRIAS CARDOEN (ICL). (B) THAT FAA WILL NOT ISSUE THE STC UNTIL QUOTE SOME POLITICAL ISSUES END QUOTE HAVE BEEN RESOLVED. (C) THAT HE WOULD NOT SELL THE MILITARIZED :

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TO COOPER TO IRAN AND (D) THAT HE WOULD
EXPORT RESTRICTIONS ON PROGRAMS HIS

3. WITH REGARD TO ITEMS (A) AND (B) IN PARA 2 ABOVE, FAA CERTIFICATION CANNOT TAKE PLACE AS LONG AS THE U.S. ARMS EMBARGO REMAINS IN EFFECT. THE DEPARTMENT WOULD LIKE TO SEE THE GOC TAKE THE NECESSARY STEPS TO MAKE POSSIBLE THE REPEAL OF THE KENNEDY-HARKIN AMENDMENT.

4. WITH REGARD TO ITEMS (C) AND (D) IN PARA 2 ABOVE, THE GOC IS SUBJECT TO A STATUTORY ARMS EMBARGO. NO EXPORT LICENSE OR OTHER APPROVAL MAY BE GRANTED UNDER THE ARMS EXPORT CONTROL ACT TO OR FOR THE GOC UNLESS THE U.S. PRESIDENT MAKES THE CERTIFICATIONS REQUIRED PURSUANT TO SECTION 726 OF THE INTERNATIONAL SECURITY DEVELOPMENT COOPERATION ACT OF 1981, AS AMENDED. THE PROHIBITION, AS AMENDED UNDER H.R. 5114, DOES NOT APPLY TO THE EXPORT OF QUOTE COMPONENTS, PARTS, TOOLS, TECHNICAL MANUALS, TIME COMPLIANCE TO TECHNICAL ORDERS (TCTOS), OR TCTO RETROFITS FOR AIRCRAFT OF THE F-5E/F, A/T-37, OR C-230E/H TYPE OWNED BY THE CHILEAN AIR FORCE QUOTE. PRIOR TO THE AMENDMENT, EXPORTS WERE LIMITED TO CARTRIDGE ACTUATED DEVICES, PROPELLANT ACTUATED DEVICES, AND TECHNICAL MANUALS FOR THE AIRCRAFT OF THE F-5E/F OR A/T-37.

5. IN REFTEL 8, IT IS MENTIONED THAT CARDOEN SAID HE HAD GAINED CONTROLLING INTEREST IN GLOBAL HELICOPTERS ASSOCIATES (GHA) AND THAT HE INTENDS TO PRODUCE HIS VARIANT OF THE BELL IN THE U.S. RATHER THAN IN CHILE. PLEASE PROVIDE FURTHER INFORMATION CONCERNING THE RELATIONSHIP BETWEEN GHA AND GHTI. IF CARDOEN HAS CONTROLLING INTEREST IN GHTI, WHAT IS PERCENTAGE?

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